

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**MARC HAYES** :  
:  
**v.** : **CIVIL ACTION NO. 24-797**  
:  
**CITY OF PHILADELPHIA** :

**ORDER**

This 29<sup>th</sup> day of April, 2024, Plaintiff having filed an Amended Complaint, it is hereby  
**ORDERED** that Defendant's Motion to Dismiss (ECF 5) is **DENIED** as **MOOT**.

/s/ Gerald Austin McHugh  
United States District Judge